



September, 1996

Superfund Fact Sheet

Update on Hazardous Waste Cleanup Projects Tacoma, Washington

Inside read about important news of activities at hazardous waste sites in the Tacoma area being addressed by the U. S. Environmental Protection Agency (EPA) and the Washington Department of Ecology (Ecology) under the authority of **Superfund** and the **Resource Conservation and Recovery Act (RCRA)**.

Highlights

- Please Comment on a Proposed Agreement to Promote Cleanup and Development on the Jones-Goodell Property on the Hylebos Waterway.
- Where Should Contaminated Sediments be Disposed of ?
- Parts of Commencement Bay are Ready to be Declared Clean, and Come Off the National Priorities List (NPL).
- See How the Asarco Smelter Cleanup is Taking Shape: First Design Documents Available for Review.
- Another Step Toward Cleanup: Negotiations on South Tacoma Field Complete.

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Commencement Bay Nearshore/ Tideflats (CB/NT)

Public Comment Period

EPA is announcing the public comment period on a proposed "Prospective Purchaser Agreement" between EPA and Way Conn Properties, Inc., a California corporation. We welcome your comments on the proposed settlement. **The public comment period for this proposed agreement will run through October 10, 1996.** The proposed agreement will allow Way Conn to purchase the Jones-Goodell property on the Hylebos Waterway, located at 1690 Marine View Drive, without being liable for costs of cleaning up contaminated sediments in Commencement Bay.

This agreement is restricted solely to release of liability for sediment contamination in Commencement Bay, and not for upland pollution or contamination on the Jones-Goodell property.

The Jones-Goodell Corporation manufactured and repaired small watercraft on the property since approximately 1968, which caused contamination to the Waterway with arsenic, copper, tributyltin, and other contaminants.

Donald Goodell (d.b.a. Jones-Goodell Corporation and J & G Investments) filed for Chapter 7 bankruptcy liquidation in 1994. The property is currently an asset of the bankruptcy estate. EPA filed a claim in the bankruptcy matter and, along with the

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prospective purchaser agreement, has negotiated a settlement of that claim with the Bankruptcy Trustee and an unsecured creditor.

Way Conn offered to purchase the property from the bankruptcy estate and intends to rent the property to a lumber milling and export company and keep the existing marine supply store on site.

Because Way Conn is affiliated with another unsecured creditor in the bankruptcy, and because the sale of the property may allow the Bankruptcy Trustee to finally distribute the bankruptcy estate assets, payment under the prospective purchaser agreement may be made from distributions from the bankruptcy estate.

All money EPA receives from the prospective purchaser agreement will go to reimburse the Superfund and reduce other potentially responsible parties' costs for cleaning up the Hylebos Waterway. The terms of this proposed agreement include the following:

- Payment of \$150,000 to EPA within 30 days of the distribution of funds by the Bankruptcy Trustee.
- Soil cleanup and removal of soils contaminated with copper and arsenic from the southern portion (adjacent to the Waterway) of the property with the approval of the Washington Department of Ecology under its Independent Remedial Action Program.
- A \$50,000 payment no later than two years from the final agreement date. This payment may be reduced one dollar for each dollar over \$50,000 that the upland soil cleanup costs, not to exceed \$50,000.

EPA believes that this proposed agreement provides substantial benefits to the community and the Hylebos Waterway.

Comments should refer to the Way Conn Properties, Inc. and be submitted by October 10, 1996 to:

Lori Houck
Environmental Protection Agency
Office of Regional Counsel MS/ORC-158
1200 Sixth Avenue
Seattle, Washington 98101

The proposed Agreement and Covenant Not to Sue is available in the information repositories listed at the end of this fact sheet.

As mentioned above, EPA has negotiated a settlement in the Goodell bankruptcy matter. That settlement will be out for 30-day public comment after it is filed with the U.S. Bankruptcy Court within the next two weeks. There will be a notice published in the Tacoma News Tribune announcing the beginning of that public comment period. A copy of that settlement will also be in the information repositories listed below after it is filed with the U.S. Bankruptcy Court.

For more information, please contact **Peter Contreras**, EPA Project Manager, at **(206) 553-6708**, or **Lori Houck**, Assistant Regional Counsel, at **(206) 553-1115**.

EPA's Brownfields Initiative Calls for Prospective Purchaser Agreements

EPA's Brownfields Initiative is a comprehensive approach to assess, safely clean up, and reuse vacant industrial lands.

Under the Brownfields Initiative, EPA revised its criteria to promote settlements with prospective purchasers of contaminated property to facilitate redevelopment of those properties. In general, EPA balances the direct benefit of the cleanup -- in work performed and/or money paid to the cleanup -- with the indirect benefits to the community if the property is kept in productive use. Such agreements provide substantial benefits to the community through creation of jobs, productive use of vacant property, and revitalization of blighted areas. If the terms of such an agreement are carried out, the new owner will not be sued by the Federal government for contamination existing prior to their purchase of the property. Such an agreement does not exempt the new purchaser from liability for contamination that it may be responsible for in the future.

Where Should Contaminated Sediments Be Disposed of?

Several months ago, EPA began discussing sediment disposal issues in Commencement Bay with the potentially responsible parties (PRPs) and interested individuals in Tacoma communities. In June, a communication strategy was sent to the community at large asking people for feedback on potential disposal site locations for contaminated sediments within the Commencement Bay Superfund site.

Two public meetings were held on June 19th, and a small "technical study group" was formed to discuss the best approach for disposal of contaminated sediments. Meetings were held on August 7th and 21st where participants discussed evaluation criteria and which disposal sites within Commencement Bay appear to be most promising.

EPA recommended that the work of the group be used to enhance the ongoing process under Agreed Orders with PRPs and that more detailed discussions wait until contaminated sediment volumes are known. By mid-October a summary of the meetings along with EPA's perspective of the common themes brought out during the meetings will be available. The next Forum meeting should be scheduled in late fall when preliminary sediment volumes from the Thea Foss Waterway are available. This will be an evening meeting and EPA will notify the community of the details.

For more information, contact **Jeanne O'Dell**, Community Relations Coordinator, at (206) 553-6919.

Some of Commencement Bay Declared Clean

As one of many efforts to improve the Superfund program, clean portions of Superfund sites are being deleted from the National Priorities List (NPL). This common-sense approach is helping to make "clean portions" of sites more attractive for redevelopment. On September 27th a public comment period on the proposal for partial deletion of the Commencement Bay Superfund site will end.

The proposal pertains to St. Paul Waterway sediments, Blair Waterway sediments, sources draining to the St. Paul and Blair Waterways, and to four properties which were transferred to the Puyallup Tribe under the Puyallup Land Claims Settlement Act of 1989. The four Puyallup Land Settlement Properties include the Taylor Way property, the East-West Road property, the Blair Waterway property, and the portion of the Blair Backup property that drains to the Blair Waterway.

For more detailed information, please refer to the August 28, 1996 fact sheet, or please contact **Allison Hiltner**, Commencement Bay Team Leader, at (206) 553-2140.

Ecology's Urban Bay Action Team Source Control Activities

Ecology has identified 70 confirmed, ongoing sources of problem chemicals that drain into the Thea Foss/Wheeler-Osgood, Middle, Sitcum, St. Paul, or Hylebos Waterways. As of August 1, 1996, cleanups have been completed at 58 of the sites and source control investigations or actions are ongoing at the remaining 12.

Since the last update, source control work has been completed at the following sites:

In the Mouth of Hylebos Waterway:

Occidental Chemical Corporation's (OCC) groundwater corrective action program for its Tacoma site started shakedown in Spring 1996. Occidental is currently in full scale operation of its groundwater injection and extraction system, as well as full scale operation of its groundwater treatment system, pursuant to its joint EPA and Ecology Dangerous Waste Permit. The treated ground water which is not being utilized for injection is being discharged to the Hylebos with OCC's process water pursuant to its discharge permit for the Hylebos Waterway. The purpose of this groundwater corrective action program is to effectively prevent non-permitted discharges of contaminated groundwater into the Hylebos Waterway, recover groundwater which has been

adversely impacted by releases from the site, and to achieve the groundwater quality standards stated in the Dangerous Waste Permit for the site. Water quality and water level data are being evaluated to determine the groundwater corrective action program's effectiveness in meeting these goals.

If you would like more information about cleanup activities at the Occidental facility, please contact **Catherine Massimino** of EPA at **(206) 553-4153**.

In Middle Waterway:

Work at Coast Craft is complete.

In addition, Ecology approved the City of Tacoma's Thea Foss Storm Water Control Plan; issued a Model Toxic Control Act (MTCA) Order to J.M. Martinac requiring cleanup of their sand blast grit beach on Thea Foss Waterway; amended a MTCA order with USG Interiors requiring cleanup of contaminated soil adjacent to Hylebos Waterway; and issued an order to Federal Recovery of Washington requiring cleanup of the old Investco site on Thea Foss Waterway.

For more information, please contact **Dave Smith**, Department of Ecology, at **(360) 407-6250** or **Christina Ngo**, EPA Superfund, at **(206) 553-0171**.

Hylebos Waterway

Sediment remedial design studies in the Hylebos Waterway are continuing under a 1993 Administrative Order on Consent between EPA and the Hylebos Cleanup Committee (HCC). The HCC consists of the Occidental Chemical Corp.; Kaiser Aluminum and Chemical Co.; Elf Atochem North America Inc.; Asarco, Inc.; and the Port of Tacoma.

The HCC completed additional sampling in July, which focused on biological testing to determine the effects of contaminants on organisms living in waterway sediments.

EPA has approved the HCC's "Event 1A/B Data Report". This report describes the results of 1994 chemical and biological sampling conducted by both the HCC and Natural Resource Trustees. This report is available for review at the information repositories listed at the end of this fact sheet.

The HCC's sampling efforts have revealed an area of highly contaminated sediments off the Occidental Chemical Corp.'s Dock 1 at the mouth of the Hylebos Waterway. The nature of the contamination is different than that found elsewhere in the waterway and consists mostly of volatile organic compounds. Occidental has agreed to study this area separately and recommend cleanup options. EPA and Occidental are currently discussing the details of this study.

The HCC has also submitted to EPA for review a "preliminary screening of disposal sites" report, which evaluated potential disposal sites for contaminated sediments. EPA will use information obtained from the "Disposal Sites Forum" (see related story on page 3) in providing comments on this report.

Please contact **Allison Hiltner**, EPA Project Manager at **(206) 553-2140** for more information.

St. Paul Waterway

Required monitoring will continue to ensure the cap is working well to contain contamination and provide habitat for sea life in the waterway. The St. Paul Waterway is included in the proposal for partial delisting of portions of Commencement Bay.

Please contact **Karen Keeley**, EPA Project Manager, at **(206) 553-2141** for more information.

Middle Waterway

This fall, EPA hopes to negotiate an agreement with potentially responsible parties for design of the Middle Waterway cleanup. Middle Waterway is the last of the CB/NT waterways to initiate the design phase. Remedial design activities include sampling to refine the extent of sediment contamination and collection of information to support selection and design of a sediment disposal site.

For more information, please contact **Elly Hale**, EPA Project Manager, at (206) 553-1215.

Thea Foss and Wheeler Osgood Waterways

The City of Tacoma and EPA are working together to design the best cleanup of sediments in the Thea Foss and Wheeler Osgood Waterways. The design work involves a lot of information gathering and assessing options. Reports are being prepared to recommend which sediment areas need cleanup and whether upland sources could recontaminate the waterway after cleanup.

A "Screening of Remedial Options Report" will be used to screen the options specified in the Record of Decision, which include: capping in place; nearshore confinement; upland confinement; deep aquatic confinement; and natural recovery. For options requiring dredging, disposal site locations will also be screened. This document is expected to be available by the end of October 1996, and EPA will provide a 30-day public review period. If you would like to be notified when the document is made available in the information repositories, please call Peggy Justus at (206) 553-2138. In addition, as part of the next Disposal Sites Forum, the City of Tacoma and EPA will present the contents of the document to interested parties.

The City of Tacoma will use the screening information to recommend a limited number of remedial options and disposal sites, or combinations of sites and options for further evaluation. They will also recommend a comprehensive cleanup plan

for contaminated sediments in the Thea Foss and Wheeler Osgood waterways.

For more information, please contact **Peggy Justus**, EPA Project Manager, at (206) 553-2138.

Former Asarco Tacoma Smelter

The Consent Decree for cleanup of the former Asarco Smelter site has been lodged in Federal Court in the Western District of Washington. The United States has given Asarco a Covenant Not to Sue unless previously unknown conditions at the site necessitate further cleanup. Asarco has provided financial assurance for full performance of the work at the site. Asarco and EPA will continue to coordinate the cleanup of the site with future development plans, to the extent practicable, and will provide interested citizens the opportunity to review and comment on design documents for cleanup. Asarco submitted the first design workplans to EPA on September 9, 1996. These plans are available for review at the EPA Records Center and the Asarco Information Center.

Surface Water Issues

EPA, Ecology and Asarco are negotiating a strategy for surface water cleanup at the former smelter site. These negotiations are focusing on on- and off-site surface waters which currently move across the smelter site and are discharged to Commencement Bay. The outcome of the discussions is to either get assurance that Asarco can meet EPA's performance standards identified in its March 1995 Record of Decision, or if the standards are not achievable, to determine if granting a cleanup action level, which may be higher than EPA's performance standards, will be protective of sediments and water volume quality or beneficial uses.

EPA plans to hold information sessions with the resource agencies and the general public to discuss this further this Fall.

Asarco Off-Shore Sediments

In August, Asarco submitted to EPA its final report regarding the potential cleanup alternatives for this site and its preferred cleanup option. EPA, Ecology and the natural resource agencies are undergoing a review of Asarco's findings. EPA will propose its preferred cleanup alternative in a Proposed Plan later this fall.

For more information, please contact **Piper Peterson Lee**, EPA Project Manager, at (206) 553-4951.

Ruston/North Tacoma Residential Cleanup

The third year of an estimated seven year project began in late March. Residential soil cleanups at the Ruston/North Tacoma site continue into the 1996 construction season. A projected 400 additional properties will be sampled and 125 properties will be cleaned up this year.

For more information, please contact **Mary Kay Voytilla**, EPA Project Manager, at (206) 553-2712.

Commencement Bay - South Tacoma Channel

Tacoma Landfill

The City of Tacoma continues operating the landfill gas management system and the ground water pump & treat system. Ground water cleanup efforts are being monitored by sampling a network of wells in and around the landfill. Based on the monitoring results, changes are being made to the ground water extraction system. The latest modifications include the installation of additional extraction wells, rehabilitation of certain wells, and closure of other wells that are no longer needed. The additional ground water planned to be extracted may necessitate an expansion of the water treatment facility at the landfill. The latest work is anticipated to be completed in late 1996 or early 1997. The City will conduct air emissions monitoring and ambient air monitoring at the landfill after this work is completed.

Because the ground water extraction wells are removing water that flows into Leach Creek, the City is supplying water to Leach Creek to insure there is adequate flow in the creek during the dry season. Ecology, EPA, and the City have reached agreement on how to augment Leach Creek on a permanent basis. The settlement plan was incorporated into the Consent Decree earlier this year.

The City is continuing their effort at locating the source of a leak in the landfill cap on the west side of the landfill. The leak is being intercepted prior to contacting garbage and is being discharged into the storm sewer.

The Prevention of Hazardous Substances and Liquid Disposal Plan has recently been modified to allow the City to utilize screened and dewatered street wastes as daily cover at the landfill. The City routinely collects street and catch basin wastes from City streets to prevent their discharge into Commencement Bay and the waterways connected to the Bay. The solid wastes are separated out and disposed within the landfill. The remaining soil-like material will be used to cover the garbage deposited in the landfill at the end of each day.

For more information, please contact **Bob Kievit**, EPA Project Manager, at (360) 753-9014.

South Tacoma Field

Negotiations on the Remedial Design/ Remedial Action Consent Decree with the Responsible Parties are complete. All parties have signed the proposed Consent Decree and it has been sent to the Department of Justice (DOJ) for review and signature. DOJ is representing EPA in the settlement agreement. Once DOJ completes its review, the proposed Consent Decree will be "lodged" with the Federal District Court in Tacoma, which will consider approval of the agreements only after a 30 day public comment period. We will notify you when the proposed agreement is available for public comment.

DOJ responds to public comments and, if still appropriate, requests the court to "enter" or approve the Consent Decree. Once the Consent Decree is officially entered by the Court, the contractor can begin working on construction design.

For more information, please contact **Cami Grandinetti**, EPA Project Manager, at (206) 553-8696.

Well 12A - Protecting the City from Ground Water Contamination

The ground water is efficiently being cleaned by the ground water treatment system, and the City of Tacoma's water supply is protected from ground water contamination. The vapor extraction system on the Time Oil property continues to extract organic contamination from the soil. The system is expected to operate for another two to three years.

For more information, please contact **Kevin Rochlin**, EPA Project Manager, at (206) 553-2106.

For More Information

Written information and technical documents regarding these projects are available for your review at the following locations:

In Tacoma:

Tacoma Public Library
1102 Tacoma Avenue, Northwest Room
Tacoma, WA

Citizens for a Healthy Bay
771 Broadway
Tacoma, WA

In Seattle:

U.S. Environmental Protection Agency
7th Floor Records Center
1200 Sixth Avenue
Seattle, WA

Additional information for specific projects is available at the following locations:

Asarco-Related Projects

Ruston Town Hall
5117 North Winnifred
Ruston, WA

Asarco Information Center
5311 N. Commercial
Tacoma, WA

Nearshore/Tideflats

Puyallup Tribe
2002 East 28th Street
Tacoma, WA

Kobeitch Branch Library
212 Browns Point Blvd.
Tacoma, WA

Tacoma Landfill and South Tacoma Field

South Tacoma Branch Library
3411 South 56th
Tacoma, WA

Questions

If you have any questions or would like more information, please feel free to contact the representatives listed in this fact sheet or one of the following representatives:

Jeanne O'Dell

Environmental Protection Agency, Seattle
(206) 553-6919 or call EPA's toll free number **1-800-424-4372**

Chris Hempleman

Washington Department of Ecology, Lacey
(360) 407-7229

Andy Comstock

Tacoma-Pierce County Health Department, Tacoma
(206) 591-6538

For those with impaired hearing or speech, please contact EPA's telecommunications device for the hearing impaired (TDD) at (206) 553-1698. To ensure effective communications with everyone, additional services can be made available to persons with disabilities by contacting one of the EPA numbers above.



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